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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/568,291	02/16/2006	Toshiya Kaihoko	286324US6PCT	3481
22850 7590 06/24/2010 OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, L.L.P. 1940 DUKE STREET ALEXANDRIA, VA 22314				
EXAMINER ZHAO, DAQUAN				
ART UNIT 2621		PAPER NUMBER		
NOTIFICATION DATE 06/24/2010		DELIVERY MODE ELECTRONIC		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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### Office Action Summary

**Application No.**

10/568,291

**Applicant(s)**

KAIHOKO ET AL.

**Examiner**

DAQUAN ZHAO

**Art Unit**

2621

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 08 April 2010.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/CD)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_
- Paper No(s)/Mail Date \_\_\_\_\_

**DETAILED ACTION**

***Response to Arguments***

1. Applicant's arguments with respect to claims 1-5 have been considered but are moot in view of the new ground(s) of rejection.

***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1-5 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

For claims 1-5, the meaning of "...a size information of the recording position information..." is not clear. The examiner treats "...a size information of the recording position information..." as the size of the data recorded in the management information.

Also for claims 1-5, the word "contiguous" means "being in contact" as defined by "The Merriam-Webster Dictionary". it is not clear whether the "contiguous" data area and the "contiguous" management data area are "in contact" with each other or they are "in contact" with themselves.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Okada et al (US 7,305,170 B2) and Hyodo et al (US 6,021,250) and further in view of Suzuki et al (US 5,479,303).

For claim 2, Okada et al teach a recording medium in which encoded content information is to be recorded, the recording medium including:

a data area in which the content information is recorded in units of an access block each including a succession of frames (e.g. figures 2 and 8, column 9, lines 5-13 and column 5, lines 24-30, MPEG video data contains I-frame, B-frame and P-frame are recorded in the unit of sector in the DVD); and

a management area in which management information for the content information is to be recorded (e.g. abstract, figure 16, column 12, lines 20-23, figure 16 shows a ACCESS MAP is recorded in the VIDEO MANAGEMENT INFORMATION (VIDEO MANAGER)),

the leading one of the frames of each access block being taken as the base point of decoding (e.g. figure 24, column 22, lines 8-21, each block entries is begins with I-picture because each GOP in MPEG begins with the I-picture);

the management area having recorded therein the recording-position information for each access block and output-time information for the leading block of each access block (e.g. abstract, column 12, lines 20-31 and figure 22A, column 19, line 41- column 20, line 7, PTS stands for Presentation Time Stamp, which indicates the time the picture

is presented or output, "an index value to the block number of the block in which the I-picture is stored" corresponds to the recording-position information);

However, Okada et al fail to teach the data area having information other than the leading one along with each access block. Hyodo et al teach the data area having information for the frames other than the leading one along with each access block (e.g. figure 18, memory for P-type key frame table 34, and figure 20b shows the start sector number of P-key frame). It would have been obvious to one ordinary skill in the art at the time the invention to incorporate the teaching of Hyodo et al into the teaching of Okada et al to recorded therein the recording-position information for frames other than the leading one and output-time information for the frames (PTS stands for Presentation Time Stamp, which indicates the time the picture is presented or output, "an index value to the block number of the block in which the I-picture is stored" corresponds to the recording-position information) separate the information from the I-frame for easy searching of whereabouts of records of data (e.g. Hyodo et al, column 3, lines 11-21).

Okada et al and Hyodo et al do not further specify a contiguous data area, a contiguous management area, and block size information of the recording-position information. Suzuki et al teach a contiguous data area, a contiguous management area, and block size information of the recording-position information (e.g. figure 4 shows the "FRAME MANAGEMENT INFORMATION" is in contact with the "NORMAL PLAYBACK DATA", and the Frame Management Information includes "FRAME SIZE", also see column 4, lines 35-58). It would have been obvious to one ordinary skill in the art at the time the invention was made to incorporate the teaching of Suzuki et al into the teaching

of Okada et al and Hyodo et al to place the content data right next to the management data to increase the data search speed for the reading operation.

Claims 1 and 4 are rejected for the same reasons as discussed in claim 2 above, wherein figure 2 of Okada et al shows encoder 105 to encode inputs video signal, ECC processor 102, column 5, lines 30-34 teach dividing information resulted from encoding of input content into access blocks each including a succession of frames.

For claims 3 and 5 are rejected for the same reasons as discussed in claim 2 above wherein Okada et al teach a reproducing apparatus for playing a recording medium having encoded content information recorded therein, the apparatus comprising:

- a reading means for reading data recorded in the recording medium (e.g. figure 19, column 14, line 20- column 15, line 16, optical pick up 201);

- a storage means for storing management information read from the recording mean(e.g. figure 19, column 14, line 20- column 15, line 16, track buffer 203);

- a decoding means for decoding content information read from the recording medium and outputting content (e.g. figure 19, column 14, line 20- column 15, line 16, video decoder 205); and

- a controlling means for controlling the reading and outputting of content information (e.g. figure 19, column 14, line 20- column 15, line 16, controller 211),

- the controlling means functioning to: read recording-position information for each access block and output-time information for the leading frame of each access block, pre-recorded in the management area, before reading content information recorded in

the data area and storing the recording-position information and output-time information into the storage means (e.g. figure 19, column 14, line 20- column 15, line 16, controller 211);

identify, for reproducing the leading frame of the access block, the recording position of the reading frame on the basis of recording-position information for the access block and output-time information for the leading frame of each access block, stored in the storage means (e.g. figure 19, column 14, line 20- column 15, line 16, controller 211); and

read, for reproducing a frame other than the leading frame of the access block, recording-position information and output-time information for the object frame from the data area of the recording medium on the basis of recording-position information for an access block including the object frame stored in the storage means to identify the recording position and output time of the object frame on the basis of the read recording-position information and output-time information (e.g. figure 19, column 14, line 20- column 15, line 16, controller 211).

Applicant's amendment necessitated the new ground(s) of rejection presented in this office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEG § 706.07 (a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136 (a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period. Then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daquan Zhao whose telephone number is (571) 270-1119. The examiner can normally be reached on M-Fri. 7:30 -5, alt Fri. off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tran Thai Q, can be reached on (571)272-7382. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Daquan Zhao/  
Examiner, Art Unit 2621

/Thai Tran/  
Supervisory Patent Examiner, Art Unit 2621